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J. CLARENCE MADDOX
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S.D. OF FLA. - FT. PIERCE**United States District Court****SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

ROSIO LEYVA FERNANDEZ,
JOSE L. GAMEZ
 a/k/a Jose Luis Gamez
 a/k/a Bonita Santo-Gamez,
OSMANY BARRAZA HERNANDEZ, and
ARMANDO GARCIA

CASE NO. 06-65-FJL

CLARENCE MADDOX
 CLERK U.S. DIST. CT.
 S.D. OF FLA. - FT. PIERCE
 2006 SEP -6 AM 11:47

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about May 8, 2006, through May 30, 2006, in St. Lucie County, in the Southern District of Florida and elsewhere, the defendant(s),

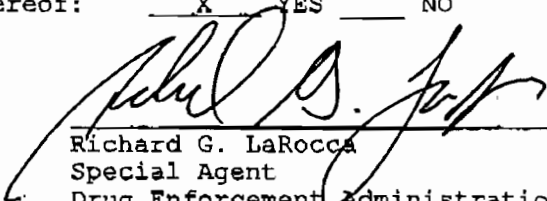
conspired to maintain a place to manufacture or distribute marijuana and maintained a place to manufacture or distribute marijuana,

in violation of Title 21 United States Code, Section(s) 856(a)(1), 841(a)(1) & 846.

I further state that I am a Special Agent, Drug Enforcement Administration, and that this Complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT.

Continued on the attached and made a part hereof: X YES NO

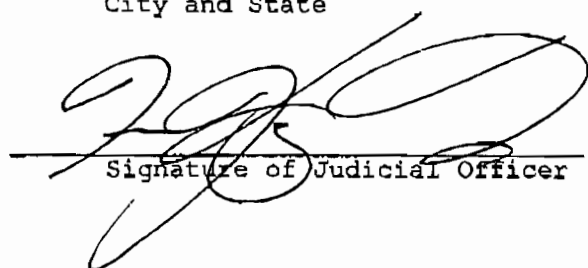

 Richard G. LaRocca
 Special Agent
 Drug Enforcement Administration

Sworn to before me, and subscribed in my presence,

September 6, 2006
 Date

at Fort Pierce, Florida
 City and State

FRANK J. LYNCH, JR.
UNITED STATES MAGISTRATE JUDGE
 Name and Title of Judicial Officer


 Signature of Judicial Officer

9-14-06
 F: Antoine
 F: A. Valle-mia
 ce

P.19 772 595 3606

US ATTORNEY FORT PIERCE

SEP-14-2006 14:19

**AFFIDAVIT
OF
SPECIAL AGENT RICHARD LA ROCCA
U.S. DRUG ENFORCEMENT ADMINISTRATION**

I, Richard La Rocca, being duly sworn, depose and state the following:

1. I am a Special Agent with the United States Drug Enforcement Administration and have been so employed since January of 2002. Prior to being employed by DEA, your affiant served seven years with the Sunrise Police Department, in the capacity of a narcotics detective. I have conducted and assisted in numerous investigations of controlled substances. The following information is based on my personal knowledge, as well as information provided to me in my official capacity. Where the statements of others are related herein, they are related in substance and, in part, are not verbatim. This affidavit is prepared for the purpose of establishing probable cause to secure a complaint and arrest warrants for individuals involved in the cultivation of marijuana in homes in St. Lucie County. This investigation is ongoing and therefore, this complaint does not contain all of the information known to me concerning the offense(s).

2. This investigation began on May 8, 2006, and is an ongoing investigation related to indoor marijuana grow houses within the city of Port Saint Lucie, Florida. During this investigation,

detectives located photographs containing a male individual. These photographs were found at different marijuana grows. When detectives ran the names of the individuals associated with these grow houses where the photographs were found, the name Luis Alberto CAMPOS was listed as an associate. Detectives obtained a photograph of CAMPOS and confirmed that he was the same individual depicted in the photographs. In addition, records checks for CAMPOS listed 3011 Tipton and 2020 S.E Crowberry Drive as associated addresses.

3. On May 26, 2006, police detectives from the Port St. Lucie Police Department Special Investigative Unit responded to 3011 SE Tipton Court, Port St. Lucie, Florida. Detectives went to this residence because they had received an anonymous tip for this location and had also conducted investigative record checks related to past grow houses. Detectives approached the residence and identified a strong aroma of marijuana emanating from the closed garage area. Detectives made contact with the occupant of the residence (Rosio Leyva FERNANDEZ).

4. FERNANDEZ gave the detectives permission to search the residence. FERNANDEZ told detectives that she was growing marijuana in the residence and indicated which rooms contained marijuana. Once detectives identified the fully operational grow, police detectives obtained and executed a search warrant at the

residence. During this search warrant, police observed approximately eighty-one (81) marijuana plants including root systems, within three dedicated grow rooms. Bags containing marijuana were also discovered and seized.

5. During the course of this investigation involving computer records checks, it was learned that 5505 NW Dunn Road, Port St. Lucie, Florida was possibly involved with the above investigation. On May 26, 2006, law enforcement officer(s) responded to the aforementioned residence and approached the front door. While detectives knocked on the front door of the residence, they detected the odor of marijuana coming from the house. Detectives also noticed what appeared to be foam insulating boards within the front windows of the residence. The detectives also noted that on the outside of the residence there were three (3) air conditioning units attached to the residence. These items/conditions are commonly used for and/or found in indoor marijuana grows. A search warrant was applied for and detectives maintained surveillance on the above residence.

6. While detectives maintained a distant surveillance on the residence, a subject who provided identification to law enforcement in the name of Jose L. GAMEZ, exited the residence. GAMEZ was very cooperative and provided consent for detectives to search the residence. GAMEZ immediately admitted to detectives that he

operated an indoor marijuana grow operation within the residence. Once detectives were given consent, detectives identified four fully operational grow rooms within the residence. Detectives immediately stopped searching pending the authorization of the search warrant. Upon execution of the warrant, approximately one hundred (100) marijuana plants with root systems were located within the residence. Additional items related to an indoor marijuana grow operations, including light bulbs, ballasts and grow fixtures were recovered from the residence. In a post Miranda statement, GAMEZ advised that the items seized within the residence belonged to him.

7. Further investigative leads involving computer records checks identified Luis Alberto CAMPOS as a former resident of 3011 SE Tipton Court, Port St. Lucie, Florida and possibly involved with the above investigation. The records check revealed that CAMPOS currently was associated with a residence of 2020 SE Crowberry Drive.

8. On May 30, 2006, detectives responded to the above residence and approached and knocked on the front door, identifying themselves as law enforcement officers. No one appeared to be at the residence. The detectives noticed a privacy fence in the backyard and a screened patio converted into an additional room. Detectives noticed this type of construction and fencing with was

similar to grow houses associated with this investigation. Detectives also smelled a strong odor of marijuana coming from inside the residence. A search warrant was secured and later the same date it was served.

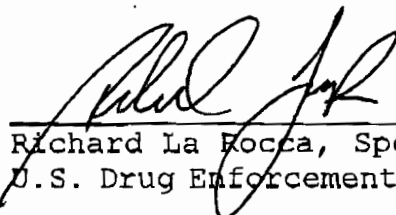
9. While detectives knocked and announced their presence, no response was given from within the residence. Detectives observed a subject (later identified as Osmany Barazza HERNANDEZ) in the kitchen area of the residence. Upon execution of the search warrant a broken down indoor marijuana grow operation was located. It was discovered that two bedrooms were converted into marijuana grow rooms containing eighty-one (81) plant containers. Three (3) additional plant containers with root fibers were recovered from the kitchen. Marijuana leaf clippings were scattered on the floor, throughout the residence. Detectives identified marijuana grow equipment within the residence, which was similar to items recovered from HERNANDEZ's Dodge Caravan parked within the garage.

10. Documents and mail in the name of Luis CAMPOS were discovered at the 2020 S.E. Crowberry Drive grow house. Follow-up investigation revealed a possible address for CAMPOS at 2297 SE Trillo Street, Port Saint Lucie, Florida.

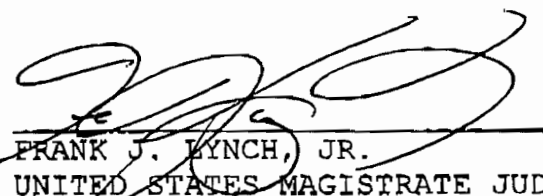
11. On the same date, law enforcement officers went to the residence at 2297 SE Trillo Street, Port Saint Lucie, Florida and made contact with the current resident, Armando GARCIA and his

wife, Nancy BOSQUET and child. GARCIA gave his consent to search the residence and during the search, an indoor marijuana grow operation was discovered within two bedrooms. At this point a search warrant was obtained and upon execution of the search warrant, approximately eight seven (87) marijuana plants were found in converted grow rooms. In a post Miranda statement, GARCIA admitted that the marijuana belonged to him but claimed that he did not own the residence. GARCIA advised that he received a check in the mail for mortgage and bills and denied knowledge of the subjects involved in the indoor marijuana grow organization.

Further your affiant sayeth naught.


 Richard La Rocca, Special Agent
 U.S. Drug Enforcement Administration

Sworn and subscribed before me this 6th day of September 2006.


 FRANK J. LYNCH, JR.
 UNITED STATES MAGISTRATE JUDGE